

EXHIBIT D

Katcher, Elana

From: Tulchin, David B.
Sent: Wednesday, June 02, 2004 12:35 PM
To: Class Action; *MsClass
Subject: FW: MDL No. 1332

See e-mail below from Heuck.

Bottom line: plaintiffs have declined thus far to agree to the dismissal of any but three actions.

-----Original Message-----

From: Robert Heuck [mailto:heuck@wsbclaw.com]
Sent: Wednesday, June 02, 2004 11:04 AM
To: Tulchin, David B.
Subject: MDL No. 1332

Dear David:

I wanted to pass along our efforts in the MDL proceeding to obtain agreement from plaintiffs' counsel to dismissal of cases that appeared to me to be subject to dismissal under Judge Motz's rulings. On May 14, I sent letters to plaintiffs' counsel in the Conrad; eLeaders; O'Sullivan, et al.; Precision Billing Services; Silverware; and To The Rescue Comprehensive Computer cases, enclosing draft entries of final judgment and dismissal. In addition, I prepared an entry of dismissal for this firm's Tyler case. I recently forwarded to you the only draft entries that we received back, along with an entry for Tyler. I have not heard from the firms that did not return signed, proposed entries of dismissal.

Sincerely,
Bob

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ROBERT HEUCK II

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May 24, 2004

Via Federal Express

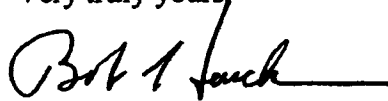
David B. Tulchin, Esq.
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004

Re: In Re Microsoft Corp. Antitrust Litigation, MDL Docket No. 1332

Dear David:

Enclosed are proposed orders of final judgment for the eLeaders, Precision Billing and Tyler cases. These orders reflect your revisions and have been approved as to form by counsel for the plaintiffs. Please forward them to the Court after indicating your approval as to form.

Very truly yours,

A handwritten signature in black ink, appearing to read "Bob Heuck", followed by a horizontal line.

Robert Heuck II

RH/ts
Enclosures

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORPORATION
ANTITRUST LITIGATION

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MDL Docket No. 1332

Hon. J. Frederick Motz

This Document Relates to:
eLeaders, Inc. v. Microsoft Corporation
MDL No. 00-1248

FINAL JUDGMENT

Pursuant to the Court's Opinion of January 12, 2001,

It is Ordered and Adjudged that eLeaders, Inc. v. Microsoft Corporation, MDL Case No. 00-1248, originally filed in the United States District Court, District of Columbia, Case No. 1:99-CV-03090, including all claims and causes of action asserted therein, is hereby dismissed with prejudice.

Dated this ____ day of _____, 2004.

So Ordered.

Hon. J. Frederick Motz
United States District Judge

Approved as to form:

David B. Tulchin
Counsel for Plaintiff

David B. Tulchin, Counsel for Microsoft Corp.
Sullivan & Cromwell LLP
125 Broad Street, New York, NY 10004

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

IN RE MICROSOFT CORPORATION
ANTITRUST LITIGATION

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MDL Docket No. 1332

Hon. J. Frederick Motz

This Document Relates to:

Precision Billing Services, Inc., et al. v.

Microsoft Corporation

MDL No. 00-1256

FINAL JUDGMENT

Pursuant to the Court's Opinion of January 12, 2001,

It is Ordered and Adjudged that Precision Billing Services, Inc., et al. v. Microsoft Corp., MDL Case No. 00-1256, originally filed in the United States District Court, Southern District of Illinois, Case No. 99-896-GPM, including all claims and causes of action asserted therein, is hereby dismissed with prejudice.

Dated this ____ day of _____, 2004.

So Ordered.

Hon. J. Frederick Motz
United States District Judge

Approved as to form:


Counsel for Plaintiff

David B. Tulchin, Counsel for Microsoft Corp.
Sullivan & Cromwell LLP
125 Broad Street, New York, NY 10004

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

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| IN RE MICROSOFT CORPORATION |) | MDL Docket No. 1332 |
| ANTITRUST LITIGATION |) | |
| |) | Hon. J. Frederick Motz |
| This Document Relates to: |) | |
| <u>Tyler v. Microsoft Corporation</u> |) | |
| MDL No. 00-1244 |) | |
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FINAL JUDGMENT

Pursuant to the Court's Opinion of January 12, 2001,

It is Ordered and Adjudged that Tyler v. Microsoft Corporation, MDL Case No. 00-1244, originally filed in the United States District Court, Southern District of California, Case No. 99-CV-2602-S-LSP, including all claims and causes of action asserted therein, is hereby dismissed with prejudice.

Dated this _____ day of _____, 2004.

So Ordered.

Hon. J. Frederick Motz
United States District Judge

Approved as to form:


Counsel for Plaintiff

David B. Tulchin, Counsel for Microsoft Corp.
Sullivan & Cromwell LLP
125 Broad Street, New York, NY 10004